

FORM PTO-1390 (REV. 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 31567.4	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/031107	
INTERNATIONAL APPLICATION NO. PCT/EP01/04978		INTERNATIONAL FILING DATE 03 May 2001		PRIORITY DATE CLAIMED 11 May 2000	
TITLE OF INVENTION CONTROL PROGRAM FOR A DEVICE FOR PHOTOREFRACTIVE CORNEAL SURGERY OF THE EYE					
APPLICANT(S) FOR DO/EO/US Michael Mrochen, Maik Kaemmerer, Theo Seiler					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.					
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.					
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.					
4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).					
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).					
b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.					
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).					
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).					
a. <input checked="" type="checkbox"/> is attached hereto.					
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).					
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))					
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).					
b. <input type="checkbox"/> have been communicated by the International Bureau.					
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.					
d. <input checked="" type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).					
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). originally executed					
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
Items 11 to 20 below concern document(s) or information included:					
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.					
14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.					
15. <input type="checkbox"/> A substitute specification.					
16. <input type="checkbox"/> A change of power of attorney and/or address letter.					
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.					
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).					
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).					
20. <input checked="" type="checkbox"/> Other items or information:					
<small>Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 34 U.S.C. 371; Preliminary Amendment; Copy of PCT Request Form 101; Copy of International Publication WO 01/85075 with specification, abstract, claims and eight (8) sheets of drawings for originally filed priority International Application No. PCT/EP01/04978 (German); English translation of originally filed priority International Application No. PCT/EP01/04978; Copy of International Search Report (German) with prior art documents; Information Disclosure Statement (with prior art documents); Copy of Notification of Receipt of Record Copy (PCT/IB/301); Copy of Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304); Copy of Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308); Declaration/Power of Attorney (originally executed); Assignment Recordation Cover Sheet; Assignment; and an Acknowledgment Postcard</small>					

U.S. APPLICATION NO. (If PTO Sec. 7 CFR 1.5) 10/031107		INTERNATIONAL APPLICATION NO. PCT/US00/15473		ATTORNEY'S DOCKET NUMBER 31181.7	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
				\$ 890.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	47 - 20 =	27	x \$18.00	\$ 486.00	
Independent claims	4 - 3 =	1	x \$84.00	\$ 84.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$270.00	
				\$ 280.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1740.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 870.00	
SUBTOTAL =				\$ 870.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 870.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 910.00	
				Amount to be refunded: \$	
				charged: \$	

a. ☒ A check in the amount of \$ 910.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 08-1394. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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 SIGNATURE
 J. Andy Lowes
 NAME
 40,706
 REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael Mrochen, et al.

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Attorney Docket No.: 31567.4

Serial No.: United States National Phase
of PCT/EP01/04978

I. A. Filing Date: May 3, 2001

Priority Date: May 11, 2000

Filed: Herewith

For: CONTROL PROGRAM FOR A DEVICE FOR PHOTOREFRACTIVE CORNEAL
SURGERY OF THE EYEAttention: DO/EO/US
Commissioner For Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

Express Mail Number: EL 828065207 USDate of Deposit: January 10, 2002

I hereby certify that the following papers and fee are attached: Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 34 U.S.C. 371; Preliminary Amendment; Copy of PCT Request Form 101; Copy of International Publication WO 01/85075 with specification, abstract, claims and eight (8) sheets of drawings for originally filed priority International Application No. PCT/EP01/04978 (German); English translation of originally filed priority International Application No. PCT/EP01/04978; Copy of International Search Report (German) with prior art documents; Information Disclosure Statement (with prior art documents); Copy of Notification of Receipt of Record Copy (PCT/IB/301); Copy of Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304); Copy of Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308); Declaration/Power of Attorney (originally executed); Assignment Recordation Cover Sheet; Assignment; and an Acknowledgment Postcard are being deposited with United States Postal Service "Express Mail Post Office to addressee" to the Commissioner for Patents, Washington, D.C. 20231.

Ben Newton

Typed or Printed Name

Ben Newton

Signature

D-974850.1